

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
NEWPORT NEWS DIVISION

|                      |   |                       |
|----------------------|---|-----------------------|
| In re:               | § |                       |
| MARTIN JR., JAMES H. | § | Case No. 13-51244-FJS |
|                      | § |                       |
|                      | § |                       |
| Debtors(s)           | § |                       |

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AMENDED TRUSTEE'S FINAL REPORT (TFR)

The undersigned trustee hereby makes this Final Report and states as follows:

1. A petition under chapter 7 of the United States Bankruptcy Code was filed on 08/01/2013. The undersigned trustee was appointed on 08/02/2013.

2. The trustee faithfully and properly fulfilled the duties enumerated in 11 U.S.C. §704.

3. All scheduled and known assets of the estate have been reduced to cash, released to the debtor as exempt property pursuant to 11 U.S.C. §522, or have been or will be abandoned pursuant to 11 U.S.C. §554. An individual estate property record and report showing the disposition of all property of the estate is attached as **Exhibit A**.

|  |    |            |
|--|----|------------|
| 4. The trustee realized gross receipts of        | \$ | 438,239.07 |
| Funds were disbursed in the following amounts:   |    |            |
| Payments made under an interim disbursement      |    | 180,000.00 |
| Administrative Expenses                          |    | 148,729.77 |
| Bank Service Fees                                |    | 6,178.01   |
| Other Payments to Creditors                      |    | 0.00       |
| Non-Estate funds paid to 3 <sup>rd</sup> Parties |    | 0.00       |
| Exemptions paid to the Debtor                    |    | 0.00       |
| Other Payments to Debtor                         |    | 0.00       |
| Leaving a balance on hand of <sup>1</sup>        | \$ | 103,331.29 |

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<sup>1</sup> The balance of funds on hand in the estate may continue to earn interest until disbursed. The interest earned prior to disbursement will be distributed pro rata to creditors within each priority category. The trustee may receive additional compensation not to exceed the maximum compensation set forth under 11 U.S.C. §326(a) on account of the disbursement of the additional interest.

The remaining funds are available for distribution.

5. Attached as **Exhibit B** is a cash receipts and disbursements record for each estate bank account.

6. The deadline for filing non-governmental claims in this case was 12/12/2013 and the deadline for filing governmental claims was 01/30/2014. All claims of each class which will receive a distribution have been examined and any objections to the allowance of claims have been resolved. If applicable, a claims analysis, explaining why payment on any claim is not being made, is attached as **Exhibit C**.

7. The Trustee's proposed distribution is attached as **Exhibit D**.

8. Pursuant to 11 U.S.C. §326(a), the maximum compensation allowable to the trustee is \$25,161.95. To the extent that additional interest is earned before case closing, the maximum compensation may increase.

The trustee has received \$0.00 as interim compensation and now requests a sum of \$25,161.95, for a total compensation of \$25,161.95. In addition, the trustee received reimbursement for reasonable and necessary expenses in the amount of \$0.00, and now requests reimbursement for expenses of \$193.86 for total expenses of \$193.86

Pursuant to Fed. R. Bank. P. 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Date : 06/12/2018

By : /s/ David Ruby

Trustee

**STATEMENT:** This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. §1320.4 (a)(2) applies.

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<sup>2</sup> If the estate is administratively insolvent, the dollar amounts reflected in this paragraph may be higher than the amounts listed in the Trustee's Proposed Distribution (Exhibit D).

**FORM 1**  
**INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT**  
**ASSET CASES**

Case No: 13-51244  
Case Name: MARTIN JR., JAMES H.

Judge: Frank J. Santoro

Trustee Name: David R. Ruby  
Date Filed (f) or Converted (c): 08/01/2013 (f)  
341(a) Meeting Date: 09/09/2013  
Claims Bar Date: 12/12/2013

For Period Ending: 06/12/2018

| 1   | 2                              | 3  | 4   | 5                                    | 6   |
|---|--------------------------------|--|---|--------------------------------------|---|
| Asset Description<br>(Scheduled and Unscheduled (u) Property) | Petition/Unscheduled<br>Values | Est Net Value<br>(Value Determined by<br>Trustee, Less Liens,<br>Exemptions,<br>and Other Costs) | Property Formally<br>Abandoned<br>OA=554(a) | Sale/Funds Received by<br>the Estate | Asset Fully Administered<br>(FA) / Gross Value of<br>Remaining Assets |
| 1. 01951 Ruffin Mill Road E/L of Interstate 95; Parce         | 17,500.00                      | 0.00   |   | 0.00                                 | FA  |
| 2. 05619 Omo Road Ampthill Gardens L 81 Sec 1 Unimpro         | 2,600.00                       | 0.00   |   | 0.00                                 | FA  |
| 3. Cash on hand   | 150.00                         | 0.00   |   | 0.00                                 | FA  |
| 4. Normal household goods and furnishings                     | 2,500.00                       | 0.00   |   | 0.00                                 | FA  |
| 5. Antique Grandfather Clock                                  | 1,200.00                       | 0.00   |   | 0.00                                 | FA  |
| 6. Lionel Train Set/Collectibles                              | 3,000.00                       | 0.00   |   | 0.00                                 | FA  |
| 7. Paintings/Prints   | 1,200.00                       | 0.00   |   | 0.00                                 | FA  |
| 8. Men's clothing, shoes, and accessories                     | 800.00                         | 0.00   |   | 0.00                                 | FA  |
| 9. Signet Ring (Debtor's initials)                            | 50.00                          | 0.00   |   | 0.00                                 | FA  |
| 10. Rolex Watch   | 1,000.00                       | 0.00   |   | 0.00                                 | FA  |
| 11. Fishing rods/tackle                                       | 10.00                          | 0.00   |   | 0.00                                 | FA  |
| 12. Double Barrell Shotgun/rifle on bottom                    | 1,500.00                       | 0.00   |   | 0.00                                 | FA  |
| 13. Shotgun   | 500.00                         | 0.00   |   | 0.00                                 | FA  |
| 14. Ammunition  | 100.00                         | 0.00   |   | 0.00                                 | FA  |
| 15. 401K - Liberty Mutual                                     | 1,600.00                       | 0.00   |   | 0.00                                 | FA  |
| 16. J.H.M, LLC 100% membership interest Company has co        | 0.00                           | 0.00   |   | 0.00                                 | FA  |
| 17. Martin Construction Group, LLC 12-31-12 closed 25%        | 1.00                           | 0.00   |   | 0.00                                 | FA  |
| 18. Fraudulent Transfer to brother, Robert Martin (u)         | 0.00                           | 125,000.00   |   | 125,000.00                           | FA  |
| 19. Fraudulent Transfer to live-in girlfriend (u)             | 0.00                           | 305,000.00   |   | 305,000.00                           | FA  |
| 20. Amended Tax Returns (u)                                   | 0.00                           | 8,000.00   |   | 8,239.07                             | FA  |

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|   |                                |  |   |                                      | <b>Gross Value of Remaining Assets</b>                                |
| <b>TOTALS (Excluding Unknown Values)</b>                      | 33,711.00                      | 438,000.00   |   | 438,239.07                           | 0.00  |

Major activities affecting case closing which are not reflected above, and matters pending, date of hearing or sale, and other action:

A complicated case that is requiring significant due diligence and investigative efforts on the part of Trustee and Trustee's court-approved counsel due to debtor's many transactions and transfers between and among himself and individual insiders and related entities, including at least two several significant fraudulent transfers -- one involving the debtor's brother and one involving the debtor's live-in girlfriend. Debtor was involved in at least 16 related entities. Two large corporate creditors and debtor's ex-spouse are actively involved in the case. Trustee will be conducting Rule 2004 examinations of debtor, debtor's live-in girlfriend and perhaps debtor's brother. One or more avoidance actions to follow. Trustee may have some personal property to sell. Trustee also may need to file several claim objections.

2015 Trustee has filed two fraudulent transfer actions -- one against debtor's brother and one against debtor's live-in girlfriend. Parties have agreed to mediate. Trustee also may need to file a motion for sanctions or commence some other proceeding against Carter Machinery for filing an action in state court that asserts claims belonging to estate.

December 2015 - February 2016 Through mediation, Trustee and Robert Martin settled fraudulent transfer action for \$125,000. Funds paid and deposited. Settlement approved by Court.

January - July 2016 Settled POC filed by Janet Martin. Priority claim in the amount of \$1.6 million+ recharacterized, reduced, recognized and allowed as a general unsecured POC in the amount of \$100,000. Settlement approved by Court.

Communications with counsel for First Community Bank resulted in amended POCs being filed to account for payments received on account of claims.

Ongoing communications with Luckstone counsel regarding need for Luckstone to file amended POC based upon payments received on account of claim.

January - October 2016 Ongoing mediation efforts among Trustee, Audrey Dale Smith and Carter Machinery. Settlement reached, including (i) payment of \$25,000 to Trustee, (ii) payment to be made to Trustee in February, 2017 in the amount of \$275,000 from sale of rental property and (iii) resolution of Carter Machinery POC and other matters. The Trustee has prepared drafts of settlement paperwork, which are being reviewed and negotiated.

December 2016 - January 2017 Revised settlement papers circulated. Negotiations ongoing.

February 2017 Settlement papers finalized. Motion to approve filed with Court. Deed of Trust filed to secure settlement obligations.

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March 2017 Settlement Order entered. Closing to take place prior to June 1. CPA employed. Tax returns prepared and filed. Taxes paid on Robert Martin settlement.

April 2017 Sale of Chesdin landing property closed. Trustee has received and deposited \$225,000 owed on settlement. Settlement now fully consummated. All assets now fully administered and all funds to be received in the case have been received and deposited.

June - August 2017 Matters with Luckstone resolved through its filing of amended POC. All claims matters now resolved. Discussions with CPA regarding mechanism for obtaining refunds though operating loss carryforwards if professional fees paid within a certain time frame. Attorney and CPA fee applications filed, hearings conducted, applications approved and fee awards paid. Interim distribution proposed, approved and paid.

September - October 2017 Final tax returns filed. 60 day letter received. Amended tax returns filed to obtain tax refunds from 2016.

TFR to be submitted as soon as tax refunds received from amended returns.

December 2017 Still waiting on tax refunds.

February 2018 State tax refund received and deposited. Waiting for federal tax refund.

March 19, 2018 Received notice from IRS that tax refund should be received in the next 2 - 3 weeks.

March 23, 2018 IRS refund received and deposited. March bank statement received.

April 17, 2018 TFR submitted to UST for review.

Initial Projected Date of Final Report(TFR) :08/01/2015

Current Projected Date of Final Report(TFR) : 04/30/2018

Trustee's Signature /s/David R. Ruby  
David R. Ruby  
100 Shockoe Slip  
Richmond, VA 23219  
Phone : (804) 698-6220

Date: 06/12/2018

FORM 2  
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ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 13-51244

Case Name: MARTIN JR., JAMES H.

Trustee Name: David R. Ruby

Bank Name: EagleBank

Account Number/CD#: \*\*\*\*\*0192 Checking Account

Taxpayer ID No: \*\*-\*\*\*4066

Blanket bond (per case limit): 3,000,000.00

For Period Ending: 6/12/2018

Separate bond (if applicable): 0.00

| 1                | 2                 | 3   | 4   |                     | 5            | 6                 | 7                       |
|------------------|-------------------|---|---|---------------------|--------------|-------------------|-------------------------|
| Transaction Date | Check or [Refer#] | Paid To / Received From   | Description of Transaction  | Uniform Trans. Code | Deposits(\$) | Disbursements(\$) | Account/ CD Balance(\$) |
| 01/05/2016       | [18]              | Robert Tyler Martin<br>PO Box 1066<br>Mathews , VA 23109-1066                     | Settlement from Adv. Proceeding   | 1241-000            | 125,000.00   |                   | 125,000.00              |
| 02/09/2016       |                   | EagleBank   | BANK SERVICE FEE  | 2600-000            |              | 133.00            | 124,867.00              |
| 02/19/2016       | 1000              | Heritage Title Company of Virginia, Inc.  | File # M16-4831<br>Title check for 13225 Chesdin Landing Drive/Chesterfield | 2420-000            |              | 65.00             | 124,802.00              |
| 03/07/2016       |                   | EagleBank   | BANK SERVICE FEE  | 2600-000            |              | 124.00            | 124,678.00              |
| 03/31/2016       | 1001              | Insurance Partners Agency, INC.<br>26865 Center Ridge Road<br>Westlake , OH 44145 | Chapter 7 Blanket Bond<br>Policy #3792899                                   | 2300-000            |              | 71.62             | 124,606.38              |
| 04/11/2016       |                   | EagleBank   | BANK SERVICE FEE  | 2600-000            |              | 132.00            | 124,474.38              |
| 05/04/2016       | [19]              | Audrey Dale Smith   | Settlement Agreement with Audrey Sm   | 1241-000            | 25,000.00    |                   | 149,474.38              |
| 05/09/2016       |                   | EagleBank   | BANK SERVICE FEE  | 2600-000            |              | 128.00            | 149,346.38              |
| 06/01/2016       |                   | EagleBank   | Bank Service Fee  | 2600-000            |              | 156.00            | 149,190.38              |

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150,000.00

809.62

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ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 13-51244

Case Name: MARTIN JR., JAMES H.

Trustee Name: David R. Ruby

Bank Name: EagleBank

Account Number/CD#: \*\*\*\*\*0192 Checking Account

Taxpayer ID No: \*\*-\*\*\*4066

Blanket bond (per case limit): 3,000,000.00

For Period Ending: 6/12/2018

Separate bond (if applicable): 0.00

| 1                | 2                 | 3                       | 4                          |                     | 5            | 6                 | 7                       |
|------------------|-------------------|-------------------------|----------------------------|---------------------|--------------|-------------------|-------------------------|
| Transaction Date | Check or [Refer#] | Paid To / Received From | Description of Transaction | Uniform Trans. Code | Deposits(\$) | Disbursements(\$) | Account/ CD Balance(\$) |
| 06/09/2016       |                   | EagleBank               | BANK SERVICE CHARGE        | 2600-000            |              | 66.00             | 149,124.38              |
| 06/13/2016       |                   | Texas Capital Bank      | Transfer of funds          | 9999-000            |              | 149,124.38        | 0.00                    |

Page Subtotals 0.00 149,190.38

|                           |            |            |
|---------------------------|------------|------------|
| <b>COLUMN TOTALS</b>      | 150,000.00 | 150,000.00 |
| Less: Bank Transfer/CD's  | 0.00       | 149,124.38 |
| <b>SUBTOTALS</b>          | 150,000.00 | 875.62     |
| Less: Payments to Debtors |            | 0.00       |
| <b>Net</b>                | 150,000.00 | 875.62     |

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ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 13-51244

Case Name: MARTIN JR., JAMES H.

Trustee Name: David R. Ruby

Bank Name: Texas Capital Bank

Account Number/CD#: \*\*\*\*\*3562 Checking Account

Taxpayer ID No: \*\*-\*\*\*4066

Blanket bond (per case limit): 3,000,000.00

For Period Ending: 6/12/2018

Separate bond (if applicable): 0.00

| 1                | 2                 | 3  | 4                          |                     | 5            | 6                 | 7                       |
|------------------|-------------------|--|----------------------------|---------------------|--------------|-------------------|-------------------------|
| Transaction Date | Check or [Refer#] | Paid To / Received From  | Description of Transaction | Uniform Trans. Code | Deposits(\$) | Disbursements(\$) | Account/ CD Balance(\$) |
| 06/13/2016       |                   | EagleBank  | Transfer of funds          | 9999-000            | 149,124.38   |                   | 149,124.38              |
| 07/05/2016       |                   | Texas Capital Bank<br>Treasury Management Operations<br>2350 Lakeside Blvd<br>Richardson, TX 75082 | Bank Service Fee           | 2600-000            |              | 125.02            | 148,999.36              |
| 08/03/2016       |                   | Texas Capital Bank<br>Treasury Management Operations<br>2350 Lakeside Blvd<br>Richardson, TX 75082 | Bank Service Fee           | 2600-000            |              | 208.21            | 148,791.15              |
| 09/06/2016       |                   | Texas Capital Bank<br>Treasury Management Operations<br>2350 Lakeside Blvd<br>Richardson, TX 75082 | Bank Service Fee           | 2600-000            |              | 207.92            | 148,583.23              |
| 10/03/2016       |                   | Texas Capital Bank<br>Treasury Management Operations<br>2350 Lakeside Blvd<br>Richardson, TX 75082 | Bank Service Fee           | 2600-000            |              | 207.66            | 148,375.57              |
| 11/03/2016       |                   | Texas Capital Bank<br>Treasury Management Operations<br>2350 Lakeside Blvd<br>Richardson, TX 75082 | Bank Service Fee           | 2600-000            |              | 207.34            | 148,168.23              |

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149,124.38

956.15



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Trustee Name: David R. Ruby

Bank Name: Texas Capital Bank

Account Number/CD#: \*\*\*\*\*3562 Checking Account

Taxpayer ID No: \*\*-\*\*\*4066

Blanket bond (per case limit): 3,000,000.00

For Period Ending: 6/12/2018

Separate bond (if applicable): 0.00

| 1                | 2                 | 3  | 4                                |                     | 5            | 6                 | 7                       |
|------------------|-------------------|--|----------------------------------|---------------------|--------------|-------------------|-------------------------|
| Transaction Date | Check or [Refer#] | Paid To / Received From  | Description of Transaction       | Uniform Trans. Code | Deposits(\$) | Disbursements(\$) | Account/ CD Balance(\$) |
| 12/05/2016       |                   | Texas Capital Bank<br>Treasury Management Operations<br>2350 Lakeside Blvd<br>Richardson, TX 75082 | Bank Service Fee                 | 2600-000            |              | 207.05            | 147,961.18              |
| 01/03/2017       |                   | Texas Capital Bank<br>Treasury Management Operations<br>2350 Lakeside Blvd<br>Richardson, TX 75082 | Bank Service Fee                 | 2600-000            |              | 206.78            | 147,754.40              |
| 02/03/2017       |                   | Texas Capital Bank<br>Treasury Management Operations<br>2350 Lakeside Blvd<br>Richardson, TX 75082 | Bank Service Fee                 | 2600-000            |              | 206.47            | 147,547.93              |
| 02/23/2017       | [19]              | AUDREY DALE SMITH<br>P. O. Box 636<br>Cobbs Creek, VA 23035  | Settlement from Adv. Proceeding  | 1241-000            | 5,000.00     |                   | 152,547.93              |
| 02/23/2017       | [19]              | AUDREY DALE SMITH<br>P. O. Box 636<br>Cobbs Creek, VA 23035  | Settlement from Adv. Proceeding  | 1241-000            | 50,000.00    |                   | 202,547.93              |
| *03/01/2017      | 52001             | Clerk, Chesterfield County Circuit Court<br>9500 Courthouse Road<br>Chesterfield , VA 23832        | Recording Fees for Deed of Trust | 2990-000            |              | 972.00            | 201,575.93              |
| 03/01/2017       | 52002             | Clerk, Chesterfield County Circuit Court<br>9500 Courthouse Road<br>Chesterfield , VA 23832        | Recording Fees for Deed of Trust | 2990-000            |              | 792.00            | 200,783.93              |

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55,000.00

2,384.30

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Account Number/CD#: \*\*\*\*\*3562 Checking Account

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Blanket bond (per case limit): 3,000,000.00

For Period Ending: 6/12/2018

Separate bond (if applicable): 0.00

| 1                | 2                 | 3  | 4  |                     | 5            | 6                 | 7                       |
|------------------|-------------------|--|--|---------------------|--------------|-------------------|-------------------------|
| Transaction Date | Check or [Refer#] | Paid To / Received From  | Description of Transaction   | Uniform Trans. Code | Deposits(\$) | Disbursements(\$) | Account/ CD Balance(\$) |
| *03/01/2017      |                   | Clerk, Chesterfield County Circuit Court<br>9500 Courthouse Road<br>Chesterfield , VA 23832        | Recording Fees for Deed of Trust   | 2990-000            |              | (972.00)          | 201,755.93              |
| 03/02/2017       | 52003             | Heritage Title Co. of Virginia, Inc.<br>3002 Hungary Road<br>Suite 100<br>Richmond, VA 23228       | Fee to Record Deed of Trust and Update Title to Chesdin Landing Property | 2990-000            |              | 60.00             | 201,695.93              |
| 03/03/2017       |                   | Texas Capital Bank<br>Treasury Management Operations<br>2350 Lakeside Blvd<br>Richardson, TX 75082 | Bank Service Fee   | 2600-000            |              | 207.68            | 201,488.25              |
| 03/29/2017       | 52004             | United States Treasury   | E.I.N. 81-6204066, Form 1041 for the year ended 12/31/16.                | 2820-000            |              | 4,190.00          | 197,298.25              |
| 03/29/2017       | 52005             | Virginia Department of Taxation  | E.I.N. 81-6204066, Form 770 Balance Due for the year ended 12/31/16.     | 2820-000            |              | 3,883.00          | 193,415.25              |
| 04/03/2017       |                   | Texas Capital Bank<br>Treasury Management Operations<br>2350 Lakeside Blvd<br>Richardson, TX 75082 | Bank Service Fee   | 2600-000            |              | 234.46            | 193,180.79              |
| 04/10/2017       | 52006             | Westfield Insurance Company<br>26865 Center Ridge Road<br>Westlake, OH 44145                       | Bond Premium, Invoice #391168  | 2300-000            |              | 107.71            | 193,073.08              |

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0.00

7,710.85

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ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

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Bank Name: Texas Capital Bank

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Taxpayer ID No: \*\*-\*\*\*4066

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For Period Ending: 6/12/2018

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|------------------|-------------------|--|--------------------------------------|---------------------|--------------|-------------------|-------------------------|
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| 04/19/2017       | [19]              | Hairfield Morton, PLC<br>2800 Buford Rd Ste 201<br>North Chesterfield, VA 23235                    | Settlement from Adversary Proceeding | 1241-000            | 225,000.00   |                   | 418,073.08              |
| 05/03/2017       |                   | Texas Capital Bank<br>Treasury Management Operations<br>2350 Lakeside Blvd<br>Richardson, TX 75082 | Bank Service Fee                     | 2600-000            |              | 397.15            | 417,675.93              |
| 06/05/2017       |                   | Texas Capital Bank<br>Treasury Management Operations<br>2350 Lakeside Blvd<br>Richardson, TX 75082 | Bank Service Fee                     | 2600-000            |              | 583.64            | 417,092.29              |
| 07/03/2017       |                   | Texas Capital Bank<br>Treasury Management Operations<br>2350 Lakeside Blvd<br>Richardson, TX 75082 | Bank Service Fee                     | 2600-000            |              | 582.90            | 416,509.39              |
| 08/03/2017       |                   | Texas Capital Bank<br>Treasury Management Operations<br>2350 Lakeside Blvd<br>Richardson, TX 75082 | Bank Service Fee                     | 2600-000            |              | 582.02            | 415,927.37              |
| 08/08/2017       | 52007             | Atlas Acquisitions LLC Attn: Avi Schild<br>294 Union St<br>Hackensack, NJ 07601                    | Disb of 17.26% to Claim #00001       | 7100-000            |              | 1,997.20          | 413,930.17              |

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225,000.00

4,142.91

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| 08/08/2017       | 52008             | Keiter, Stephens, Hurst . .PC<br>PO Box 32066<br>Henrico, VA 23294   | Disb of 17.26% to Claim #00002 | 7100-000            |              | 1,126.68          | 412,803.49              |
| 08/08/2017       | 52009             | Capital One Bank (USA), N.A.<br>PO Box 71083<br>Charlotte, NC 28272  | Disb of 17.26% to Claim #00003 | 7100-000            |              | 114.36            | 412,689.13              |
| 08/08/2017       | 52010             | Luck Stone Corporation c/o Fullerton & Knowles, PC Attn: Paul Schrader<br>12642 Chapel Rd<br>Clifton, VA 20124                         | Disb of 17.26% to Claim #00004 | 7100-000            |              | 18,122.21         | 394,566.92              |
| 08/08/2017       | 52011             | John Deere Construction & Forestry Company<br>PO Box 6600<br>Johnston, IA 50131  | Disb of 17.26% to Claim #00005 | 7100-000            |              | 11,278.06         | 383,288.86              |
| 08/08/2017       | 52012             | Carter Machinery Company, Inc. c/o Donald C. Schultz, Esq. Crenshaw, Ware & Martin, PLC<br>150 W Main St Ste 1500<br>Norfolk, VA 23510 | Disb of 17.26% to Claim #00006 | 7100-000            |              | 94,452.29         | 288,836.57              |
| 08/08/2017       | 52013             | First Community Bank c/o Kimberly A. Taylor Kepley Broschious & Biggs, PLC<br>2211 Pump Rd<br>Richmond, VA 23233                       | Disb of 17.26% to Claim #00009 | 7100-000            |              | 17,464.56         | 271,372.01              |

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0.00

142,558.16

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ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 13-51244

Case Name: MARTIN JR., JAMES H.

Trustee Name: David R. Ruby

Bank Name: Texas Capital Bank

Account Number/CD#: \*\*\*\*\*3562 Checking Account

Taxpayer ID No: \*\*-\*\*\*4066

Blanket bond (per case limit): 3,000,000.00

For Period Ending: 6/12/2018

Separate bond (if applicable): 0.00

| 1                | 2                 | 3  | 4  |                     | 5            | 6                 | 7                       |
|------------------|-------------------|--|--|---------------------|--------------|-------------------|-------------------------|
| Transaction Date | Check or [Refer#] | Paid To / Received From  | Description of Transaction                                   | Uniform Trans. Code | Deposits(\$) | Disbursements(\$) | Account/ CD Balance(\$) |
| 08/08/2017       | 52014             | First Community Bank c/o Kimberly A. Taylor Kepley Brosious & Biggs, PLC<br>2211 Pump Rd<br>Richmond, VA 23233 | Disb of 17.26% to Claim #00010                               | 7100-000            |              | 13,995.46         | 257,376.55              |
| 08/08/2017       | 52015             | First Community Bank c/o Kimberly A. Taylor Kepley Brosious & Biggs, PLC<br>2211 Pump Rd<br>Richmond, VA 23233 | Disb of 17.26% to Claim #00011                               | 7100-000            |              | 4,189.94          | 253,186.61              |
| 08/08/2017       | 52016             | Janet B. Martin c/o John B. Russell, Jr.<br>2621 Promenade Pkwy Ste 102<br>Midlothian, VA 23113                | Disb of 17.26% to Claim #00013                               | 7100-000            |              | 17,259.24         | 235,927.37              |
| *08/08/2017      | 52017             | DAVID R. RUBY<br>100 SHOCKOE SLIP, 3RD FLOOR<br>Richmond, VA 23219   | Atty for Trustee Fee per Order dated 8/8/17 Doc. 158.        | 3110-003            |              | 134,295.00        | 101,632.37              |
| *08/08/2017      | 52018             | DAVID R. RUBY<br>100 SHOCKOE SLIP, 3RD FLOOR<br>Richmond, VA 23219   | Atty for Trustee Expenses per Order dated 8/8/17 Doc. 158    | 3120-003            |              | 590.25            | 101,042.12              |
| 08/08/2017       | 52019             | Barry Strickland & Company<br>Certified Public Accountants<br>9410 Atlee Commerce Blvd<br>Ashland, VA 23005    | Accountant for Trustee Fee per Order dated 8/8/17, Doc. 159. | 3410-000            |              | 4,708.90          | 96,333.22               |

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0.00

175,038.79

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ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 13-51244

Case Name: MARTIN JR., JAMES H.

Trustee Name: David R. Ruby

Bank Name: Texas Capital Bank

Account Number/CD#: \*\*\*\*\*3562 Checking Account

Taxpayer ID No: \*\*-\*\*\*4066

Blanket bond (per case limit): 3,000,000.00

For Period Ending: 6/12/2018

Separate bond (if applicable): 0.00

| 1                | 2                 | 3   | 4   |                     | 5            | 6                 | 7                       |
|------------------|-------------------|---|---|---------------------|--------------|-------------------|-------------------------|
| Transaction Date | Check or [Refer#] | Paid To / Received From   | Description of Transaction  | Uniform Trans. Code | Deposits(\$) | Disbursements(\$) | Account/ CD Balance(\$) |
| 08/08/2017       | 52020             | Barry Strickland & Company<br>Certified Public Accountants<br>9410 Atlee Commerce Blvd<br>Ashland, VA 23005 | Accountant for Trustee Expenses per Order dated 8/8/17, Doc. 159. | 3420-000            |              | 57.97             | 96,275.25               |
| 08/08/2017       | 52021             | ThompsonMcMullan, P.C.<br>100 Shockoe Slip, 3rd Floor<br>Richmond, VA 23219                                 | Attorney for Trustee Fee per Order dated 8/8/17, Doc. 158.        | 3110-000            |              | 134,295.00        | (38,019.75)             |
| 08/08/2017       | 52022             | ThompsonMcMullan, P.C.<br>100 Shockoe Slip, 3rd Floor<br>Richmond, VA 23219                                 | Attorney for Trustee Expenses per Order dated 8/8/17, Doc. 158.   | 3120-000            |              | 590.25            | (38,610.00)             |
| *08/08/2017      |                   | DAVID R. RUBY<br>100 SHOCKOE SLIP, 3RD FLOOR<br>Richmond, VA 23219  | Atty for Trustee Fee per Order dated 8/8/17 Doc. 158.             | 3110-003            |              | (134,295.00)      | 95,685.00               |
| *08/08/2017      |                   | DAVID R. RUBY<br>100 SHOCKOE SLIP, 3RD FLOOR<br>Richmond, VA 23219  | Atty for Trustee Expenses per Order dated 8/8/17 Doc. 158         | 3120-003            |              | (590.25)          | 96,275.25               |
| 08/28/2017       |                   | Commonwealth of Virginia  | Overpayment of taxes paid   | 2820-000            |              | (120.46)          | 96,395.71               |
| 09/05/2017       |                   | Texas Capital Bank<br>Treasury Management Operations<br>2350 Lakeside Blvd<br>Richardson, TX 75082          | Bank Service Fee  | 2600-000            |              | 319.13            | 96,076.58               |

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0.00

256.64

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ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 13-51244

Case Name: MARTIN JR., JAMES H.

Trustee Name: David R. Ruby

Bank Name: Texas Capital Bank

Account Number/CD#: \*\*\*\*\*3562 Checking Account

Taxpayer ID No: \*\*-\*\*\*4066

Blanket bond (per case limit): 3,000,000.00

For Period Ending: 6/12/2018

Separate bond (if applicable): 0.00

| 1                | 2                 | 3  | 4                               |                     | 5            | 6                 | 7                       |
|------------------|-------------------|--|---------------------------------|---------------------|--------------|-------------------|-------------------------|
| Transaction Date | Check or [Refer#] | Paid To / Received From  | Description of Transaction      | Uniform Trans. Code | Deposits(\$) | Disbursements(\$) | Account/ CD Balance(\$) |
| 10/04/2017       |                   | Texas Capital Bank<br>Treasury Management Operations<br>2350 Lakeside Blvd<br>Richardson, TX 75082 | Bank Service Fee                | 2600-000            |              | 142.34            | 95,934.24               |
| 11/03/2017       |                   | Texas Capital Bank<br>Treasury Management Operations<br>2350 Lakeside Blvd<br>Richardson, TX 75082 | Bank Service Fee                | 2600-000            |              | 134.06            | 95,800.18               |
| 12/04/2017       |                   | Texas Capital Bank<br>Treasury Management Operations<br>2350 Lakeside Blvd<br>Richardson, TX 75082 | Bank Service Fee                | 2600-000            |              | 133.87            | 95,666.31               |
| 01/03/2018       |                   | Texas Capital Bank<br>Treasury Management Operations<br>2350 Lakeside Blvd<br>Richardson, TX 75082 | Bank Service Fee                | 2600-000            |              | 133.69            | 95,532.62               |
| 02/05/2018       |                   | Texas Capital Bank<br>Treasury Management Operations<br>2350 Lakeside Blvd<br>Richardson, TX 75082 | Bank Service Fee                | 2600-000            |              | 133.50            | 95,399.12               |
| 02/06/2018       | [20]              | Commonwealth of Virginia   | Refund from Amended Tax Returns | 1224-000            | 3,895.25     |                   | 99,294.37               |

Page Subtotals

3,895.25

677.46

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ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 13-51244

Case Name: MARTIN JR., JAMES H.

Trustee Name: David R. Ruby

Bank Name: Texas Capital Bank

Account Number/CD#: \*\*\*\*\*3562 Checking Account

Taxpayer ID No: \*\*-\*\*\*4066

Blanket bond (per case limit): 3,000,000.00

For Period Ending: 6/12/2018

Separate bond (if applicable): 0.00

| 1                | 2                 | 3  | 4                          |                     | 5            | 6                 | 7                       |
|------------------|-------------------|--|----------------------------|---------------------|--------------|-------------------|-------------------------|
| Transaction Date | Check or [Refer#] | Paid To / Received From  | Description of Transaction | Uniform Trans. Code | Deposits(\$) | Disbursements(\$) | Account/ CD Balance(\$) |
| 03/05/2018       |                   | Texas Capital Bank<br>Treasury Management Operations<br>2350 Lakeside Blvd<br>Richardson, TX 75082 | Bank Service Fee           | 2600-000            |              | 137.79            | 99,156.58               |
| 03/23/2018       | [20]              | United States Treasury   | Amended Tax Refunds        | 1224-000            | 4,343.82     |                   | 103,500.40              |
| 03/27/2018       | 52023             | Westfield Insurance Company<br>26865 Center Ridge Road<br>Westlake, OH 44145                       | Bond Premium               | 2300-000            |              | 28.78             | 103,471.62              |
| 04/03/2018       |                   | Texas Capital Bank<br>Treasury Management Operations<br>2350 Lakeside Blvd<br>Richardson, TX 75082 | Bank Service Fee           | 2600-000            |              | 140.33            | 103,331.29              |

Page Subtotals 4,343.82 306.90

|                           |            |            |
|---------------------------|------------|------------|
| <b>COLUMN TOTALS</b>      | 437,363.45 | 334,032.16 |
| Less: Bank Transfer/CD's  | 149,124.38 | 0.00       |
| <b>SUBTOTALS</b>          | 288,239.07 | 334,032.16 |
| Less: Payments to Debtors |            | 0.00       |
| <b>Net</b>                | 288,239.07 | 334,032.16 |



Form 2  
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ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 13-51244

Case Name: MARTIN JR., JAMES H.

Trustee Name: David R. Ruby

Bank Name: Texas Capital Bank

Account Number/CD#: \*\*\*\*\*3562 Checking Account

Taxpayer ID No: \*\*-\*\*\*4066

Blanket bond (per case limit): 3,000,000.00

For Period Ending: 6/12/2018

Separate bond (if applicable): 0.00

| 1                | 2                 | 3                       | 4                          |                     | 5            | 6                 | 7                       |
|------------------|-------------------|-------------------------|----------------------------|---------------------|--------------|-------------------|-------------------------|
| Transaction Date | Check or [Refer#] | Paid To / Received From | Description of Transaction | Uniform Trans. Code | Deposits(\$) | Disbursements(\$) | Account/ CD Balance(\$) |

|                                   |            | TOTAL-ALL ACCOUNTS         | NET DEPOSITS | NET DISBURSEMENTS | ACCOUNT BALANCE |
|-----------------------------------|------------|----------------------------|--------------|-------------------|-----------------|
| All Accounts Gross Receipts:      | 438,239.07 |                            |              |                   |                 |
| All Accounts Gross Disbursements: | 334,907.78 | *****0192 Checking Account | 150,000.00   | 875.62            |                 |
| All Accounts Net:                 | 103,331.29 | *****3562 Checking Account | 288,239.07   | 334,032.16        |                 |
|                                   |            | <b>Net Totals</b>          | 438,239.07   | 334,907.78        | 103,331.29      |

Case: 13-51244  
MARTIN JR., JAMES H.

David R. Ruby  
CLAIMS REGISTER  
EXHIBIT C Page 1

Claims Bar Date: 12/12/13 Government Bar Date: 01/30/14

| Claim No.  | Creditors   | UTC  | Scheduled         | Claimed          | Allowed           | Paid              | Balance          |
|--|---|------|-------------------|------------------|-------------------|-------------------|------------------|
|  | DAVID R. RUBY, TRUSTEE<br>100 SHOCKOE SLIP, 3RD FLOOR<br>RICHMOND, VA 23219             | 2100 | 0.00              | 25,161.95        | 25,161.95         | 0.00              | 25,161.95        |
|  | DAVID R. RUBY, TRUSTEE<br>100 SHOCKOE SLIP, 3RD FLOOR<br>RICHMOND, VA 23219             | 2200 | 0.00              | 0.00             | 193.86            | 0.00              | 193.86           |
|  | US Bankruptcy Court   | 2700 | 700.00            | 700.00           | 700.00            | 0.00              | 700.00           |
| Payment of deferred filing fees - Doc #119 and #121. |   |      |                   |                  |                   |                   |                  |
|  | Clerk, Chesterfield County<br>9500 Courthouse Road<br>Chesterfield , VA 23832           | 2990 | 0.00              | 792.00           | 792.00            | 792.00            | 0.00             |
| Recording Fees for Deed of Trust                     |   |      |                   |                  |                   |                   |                  |
|  | Heritage Title Co. of Virginia,<br>3002 Hungary Road<br>Suite 100<br>Richmond, VA 23228 | 2990 | 0.00              | 60.00            | 60.00             | 60.00             | 0.00             |
|  | ThompsonMcMullan<br>100 Shockoe Slip, 3rd Floor<br>Richmond, VA 23219                   | 3110 | 134,295.00        | 0.00             | 134,295.00        | 134,295.00        | 0.00             |
|  | BARRY STRICKLAND, CPA<br>9410 Atlee Commerce Boulevard<br>Ashland, VA 23005             | 3410 | 4,708.90          | 0.00             | 4,708.90          | 4,708.90          | 0.00             |
| <b>ADMINISTRATIVE TOTAL</b>                          |   |      | <b>139,703.90</b> | <b>26,713.95</b> | <b>165,911.71</b> | <b>139,855.90</b> | <b>26,055.81</b> |
| 00001  | Atlas Acquisitions LLC Attn:<br>294 Union St<br>Hackensack, NJ 07601<br>Filed: 09/15/13 | 7100 | 0.00              | 11,571.76        | 11,571.76         | 1,997.20          | 9,574.56         |
| 00002  | Keiter, Stephens, Hurst . .PC<br>PO Box 32066<br>Henrico, VA 23294<br>Filed: 09/19/13   | 7100 | 0.00              | 6,528.00         | 6,528.00          | 1,126.68          | 5,401.32         |

Case: 13-51244  
MARTIN JR., JAMES H.

David R. Ruby  
CLAIMS REGISTER  
EXHIBIT C Page 2

Claims Bar Date: 12/12/13 Government Bar Date: 01/30/14

| Claim No. | Creditors   | UTC  | Scheduled | Claimed    | Allowed    | Paid      | Balance    |
|-----------|---|------|-----------|------------|------------|-----------|------------|
| 00003     | Capital One Bank (USA), N.A.<br>PO Box 71083<br>Charlotte, NC 28272<br>Filed: 10/14/13                        | 7100 | 0.00      | 662.62     | 662.62     | 114.36    | 548.26     |
| 00004     | Luck Stone Corporation c/o<br>12642 Chapel Rd<br>Clifton, VA 20124<br>Filed: 12/06/13                         | 7100 | 0.00      | 105,000.00 | 105,000.00 | 18,122.21 | 86,877.79  |
| 00005     | John Deere Construction &<br>PO Box 6600<br>Johnston, IA 50131<br>Filed: 12/10/13                             | 7100 | 0.00      | 65,345.02  | 65,345.02  | 11,278.06 | 54,066.96  |
| 00006     | Carter Machinery Company,<br>Attn: Donna Ashbrook<br>P.O.Box 3096<br>Salem, VA 24153<br>Filed: 12/10/13       | 7100 | 0.00      | 547,256.23 | 547,256.23 | 94,452.29 | 452,803.94 |
| 00007     | First Community Bank c/o<br>2211 Pump Rd<br>Richmond, VA 23233<br>Filed: 12/12/13<br>Claim Withdrawn 02/09/16 | 7100 | 0.00      | 133,333.33 | 133,333.33 | 0.00      | 133,333.33 |
| 00008     | First Community Bank c/o<br>2211 Pump Rd<br>Richmond, VA 23233<br>Filed: 12/12/13<br>Claim Withdrawn 02/09/16 | 7100 | 0.00      | 250,000.00 | 250,000.00 | 0.00      | 250,000.00 |
| 00009     | First Community Bank c/o<br>2211 Pump Rd<br>Richmond, VA 23233<br>Filed: 12/12/13                             | 7100 | 0.00      | 101,189.58 | 101,189.58 | 17,464.56 | 83,725.02  |
| 00010     | First Community Bank c/o<br>2211 Pump Rd<br>Richmond, VA 23233<br>Filed: 12/12/13                             | 7100 | 0.00      | 81,089.65  | 81,089.65  | 13,995.46 | 67,094.19  |
| 00011     | First Community Bank c/o<br>2211 Pump Rd<br>Richmond, VA 23233<br>Filed: 12/12/13                             | 7100 | 0.00      | 24,276.52  | 24,276.52  | 4,189.94  | 20,086.58  |

Case: 13-51244  
MARTIN JR., JAMES H.

David R. Ruby  
CLAIMS REGISTER  
EXHIBIT C Page 3

Claims Bar Date: 12/12/13 Government Bar Date: 01/30/14

| Claim No.              | Creditors   | UTC  | Scheduled         | Claimed             | Allowed             | Paid              | Balance             |
|------------------------|---|------|-------------------|---------------------|---------------------|-------------------|---------------------|
| 00013                  | Janet B. Martin c/o Kutak<br>301 East Byrd Street, Suite 800<br>Richmond, VA 23219<br>Filed: 02/21/14<br>Claim amended per Order dated 6/23/16 Doc. 136   | 7100 | 0.00              | 100,000.00          | 100,000.00          | 17,259.24         | 82,740.76           |
| 00012                  | Vulcan Construction<br>Vulcan Construction Materials, L.P. c/o Stephen J. Annino, Esq. Rees Broome, PC 1602 Village Market Blvd., S.E. Suite 270<br>Leesburg, VA 20175<br><br>Filed: 01/15/14<br>Late Filed Claim | 7200 | 0.00              | 53,237.42           | 53,237.42           | 0.00              | 53,237.42           |
| <b>UNSECURED TOTAL</b> |   |      | <b>0.00</b>       | <b>1,479,490.13</b> | <b>1,479,490.13</b> | <b>180,000.00</b> | <b>1,299,490.13</b> |
| <b>REPORT TOTALS</b>   |   |      | <b>139,703.90</b> | <b>1,506,204.08</b> | <b>1,645,401.84</b> | <b>319,855.90</b> | <b>1,325,545.94</b> |

Exhibit D

Case No.: 13-51244-FJS

Case Name: MARTIN JR., JAMES H.

Trustee Name: David R. Ruby

Balance on Hand

\$103,331.29

Claims of secured creditors will be paid as follows:

NONE

Applications for chapter 7 fees and administrative expenses have been filed as follows:

| Reason/Applicant                                    | Total Requested | Interim Payments to Date | Proposed Payment |
|---|-----------------|--------------------------|------------------|
| Trustee, Fees: DAVID R. RUBY, TRUSTEE               | \$ 25,161.95    | \$ 0.00                  | \$ 25,161.95     |
| Trustee, Expenses: DAVID R. RUBY, TRUSTEE           | \$ 193.86       | \$ 0.00                  | \$ 193.86        |
| Attorney for Trustee, Fees: ThompsonMcMullan        | \$ 134,295.00   | \$ 134,295.00            | \$ 0.00          |
| Accountant for Trustee, Fees: BARRY STRICKLAND, CPA | \$ 4,708.90     | \$ 4,708.90              | \$ 0.00          |
| Charges: U.S. Bankruptcy Court                      | \$ 700.00       | \$ 0.00                  | \$ 700.00        |
| Other: Clerk, Chesterfield County Circuit Court     | \$ 792.00       | \$ 792.00                | \$ 0.00          |
| Other: Heritage Title Co. of Virginia, Inc.         | \$ 60.00        | \$ 60.00                 | \$ 0.00          |

Total to be paid for chapter 7 administrative expenses \$ 26,055.81Remaining Balance \$ 77,275.48

Applications for prior chapter fees and administrative expenses have been filed as follows:

NONE

In addition to the expenses of administration listed above as may be allowed by the Court, priority claims totaling \$0.00 must be paid in advance of any dividend to general (unsecured) creditors.

Allowed Priority Claims are:

NONE

The actual distribution to wage claimants included above, if any, will be the proposed payment less applicable withholding taxes (which will be remitted to the appropriate taxing authorities).

Timely claims of general (unsecured) creditors totaling \$1,042,919.38 have been allowed and will be paid pro rata only after all allowed administrative and priority claims have been paid in full. The timely allowed general (unsecured) dividend is anticipated to be 24.7 %, plus interest (if applicable).

Timely allowed general (unsecured) claims are as follows:

| Claim No. | Claimant                                | Allowed Amount of Claim | Interim Payments to Date | Proposed Payment |
|-----------|---|-------------------------|--------------------------|------------------|
| 00001     | Atlas Acquisitions LLC Attn: Avi Schild | \$ 11,571.76            | \$ 1,997.20              | \$ 857.39        |
| 00002     | Keiter, Stephens, Hurst . .PC           | \$ 6,528.00             | \$ 1,126.68              | \$ 483.69        |
| 00003     | Capital One Bank (USA), N.A.            | \$ 662.62               | \$ 114.36                | \$ 49.10         |
| 00004     | Luck Stone Corporation c/o Fullerton    | \$ 105,000.00           | \$ 18,122.21             | \$ 7,780.01      |
| 00005     | John Deere Construction & Forestry      | \$ 65,345.02            | \$ 11,278.06             | \$ 4,841.76      |
| 00006     | Carter Machinery Company, Inc. c/o      | \$ 547,256.23           | \$ 94,452.29             | \$ 40,549.16     |
| 00009     | First Community Bank c/o Kimberly A.    | \$ 101,189.58           | \$ 17,464.56             | \$ 7,497.68      |
| 00010     | First Community Bank c/o Kimberly A.    | \$ 81,089.65            | \$ 13,995.46             | \$ 6,008.37      |
| 00011     | First Community Bank c/o Kimberly A.    | \$ 24,276.52            | \$ 4,189.94              | \$ 1,798.78      |
| 00013     | Janet B. Martin c/o Kutak Rock. LLP     | \$ 100,000.00           | \$ 17,259.24             | \$ 7,409.54      |

Total to be paid to timely general unsecured creditors \$ 77,275.48

Remaining Balance \$ 0.00

Tardily filed claims of general (unsecured) creditors totaling \$53,237.42 have been allowed and will be paid pro rata only after all allowed administrative, priority and timely filed general (unsecured) claims have been paid in full. The tardily filed claim dividend is anticipated to be 0.0 %, plus interest (if applicable).

Tardily filed general (unsecured) claims are as follows:

| Claim No. | Claimant                                | Allowed Amount of Claim | Interim Payments to Date | Proposed Payment |
|-----------|---|-------------------------|--------------------------|------------------|
| 00012     | Vulcan Construction Materials, L.P. c/o | \$ 53,237.42            | \$ 0.00                  | \$ 0.00          |

Total to be paid to tardy general unsecured creditors \$ 0.00

Remaining Balance \$ 0.00

Subordinated unsecured claims for fines, penalties, forfeitures, or damages and claims ordered subordinated by the Court totaling \$0.00 have been allowed and will be paid pro rata only after all allowed administrative, priority and general (unsecured) claims have been paid in full. The dividend for subordinated unsecured claims is anticipated to be 0.0 %, plus interest (if applicable).

Subordinated unsecured claims for fines, penalties, forfeitures or damages and claims ordered subordinated by the Court are as follows:

NONE